

SOUTH CAROLINA PUBLIC SERVICE COMMISSION

STANDING HEARING OFFICER DIRECTIVE

DOCKET NO. 2016-28-T

ORDER NO. 2016-9-H

JANUARY 27, 2016

Standing Hearing Officer: David Butler

DOCKET DESCRIPTION:

Application of Carolina Procurement Institute, Incorporated for a Class E (Household Goods) Certificate of Public Convenience and Necessity for Operation of Motor Vehicle Carrier and for Nunc Pro Tunc Approval of Authority to Transport Shipments for the Department of Defense

MATTER UNDER CONSIDERATION:

Motion of Carolina Procurement Institute, Inc. for protective treatment of the Department of Defense Contract No. W9124C-10-R-0008, regarding military moves. Motion for waiver of S.C. Code Ann. Section 58-23-1010 and S.C. Code Regs. 103-150, 103-198, and 103-193(2) for present and future Department of Defense contracts

STANDING HEARING OFFICER'S ACTION:

Motion for confidentiality granted. Motion for waivers granted in part. The Applicant claims that public disclosure of the detailed rate information in the contract would give future bidders a competitive advantage in submitting bids for other Department of Defense contracts. Further, the Company claims that the public disclosure of this information may result in direct, immediate and substantial harm to competitive position of the Applicant in South Carolina and elsewhere. Accordingly, the Motion for confidentiality is granted for the contract at issue, and the motion for waiver of Regulation 103-193(2), which would otherwise require publication of the rates in this contract, is granted. In this case, strict compliance with Regulation 103-193(2) would produce unusual difficulty, in that it would require publication of rates contained in a confidential contract filed with the Commission. See S.C. Code Regs. 103-101 (2). The requests for the remaining waivers and the applicability of the present rulings to future contracts are much broader requests, and as such, are held in abeyance and shall be subject to such ruling as the full Public Service Commission may see fit at a later date.